IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEBRASKA

| UNITED STATES OF AMERICA |) > 8.07CB00 |
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| Plaintiff, |) 8:07CR99) |
| vs. |) DETENTION ORDER |
| OMAR MARTINEZ, | \ |
| Defendant. | } |
| A. Order For Detention After waiving a detention hearing pursua Act on March 29, 2007, the Court or pursuant to 18 U.S.C. § 3142(e) and (i). | ant to 18 U.S.C. § 3142(f) of the Bail Reform ders the above-named defendant detained. |
| conditions will reasonably assure X By clear and convincing evidence | |
| Services Report, and includes the follow X (1) Nature and circumstances of X (a) The crime: a conspir distribute in excess of violation of 21 U.S.C distribute methamphe 841(a)(1) both carry a and a maximum of life (b) The offense is a crime (c) The offense involves a (d) The offense involves a | f the offense charged: racy to distribute and possess with intent to f 500 grams of methamphetamine (Count I) in C. § 846 and the possession with intent to etamine (Count II) in violation of 21 U.S.C. § minimum sentence of ten years imprisonment e imprisonment. e of violence. a narcotic drug. a large amount of controlled substances, to wit: |
| The defendar The defendar The defendar court proceed | nt appears to have a mental condition which hether the defendant will appear. In that has no family ties in the area. In that has no steady employment. In that has no substantial financial resources. In that has a long time resident of the community. In the defendant: In that has a history relating to drug abuse. In that has a history relating to alcohol abuse. In that has a prior record of failure to appear at dings. In the defendant was on: |

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|---|--|
| (c) OthX | Probation Parole Release pending trial, sentence, appeal or completion of sentence. Practors: The defendant is an illegal alien and is subject to deportation. The defendant is a legal alien and will be subject to deportation if convicted. The Bureau of Immigration and Custom Enforcement (BICE) has placed a detainer with the U.S. Marshal. Other: |
| X (4) The natur release are | e and seriousness of the danger posed by the defendant's as follows: The nature of the charges in the Indictment. |
| on the follo which the 0 X (a) Tha ass of a the X X | ning that the defendant should be detained, the Court also relied wing rebuttable presumption(s) contained in 18 U.S.C. § 3142(e) Court finds the defendant has not rebutted: t no condition or combination of conditions will reasonably use the appearance of the defendant as required and the safety my other person and the community because the Court finds that crime involves: (1) A crime of violence; or (2) An offense for which the maximum penalty is life imprisonment or death; or (3) A controlled substance violation which has a maximum penalty of 10 years or more; or (4) A felony after the defendant had been convicted of two or more prior offenses described in (1) through (3) above, and the defendant has a prior conviction for one of the crimes mentioned in (1) through (3) above which is less than five years old and which was committed while the defendant was on pretrial release. |
| ass of the cau | t no condition or combination of conditions will reasonably ure the appearance of the defendant as required and the safety ne community because the Court finds that there is probable se to believe: |

 D. Additional Directives
 Pursuant to 18 U.S.C. § 3142(i)(2)-(4), the Court directs that:
 1. The defendant be committed to the custody of the Attorney General for confinement in a corrections facility separate, to the extent practicable from
 persons awaiting or serving sentences or being held in custody pending appeal; and

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- 2. The defendant be afforded reasonable opportunity for private consultation with counsel; and
- 3. That, on order of a court of the United States, or on request of an attorney for the government, the person in charge of the corrections facility in which the defendant is confined deliver the defendant to a United States Marshal for the purpose of an appearance in connection with a court proceeding.

DATED: April 2, 2007. BY THE COURT:

s/Thomas D. Thalken United States Magistrate Judge